

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF SAINT CROIX**

CONSTANCE ALEXANDER,)	
PETULA ALEXANDER,)	
and DINORAH WILLIAMS,)	CASE NO:1:20-cv-0038
)	
)	
Plaintiffs,)	ACTION FOR DECLARATORY
-v-)	JUDGMENT AND DAMAGES
)	
STEADFAST INSURANCE COMPANY)	
(STEADFAST), CLARENDON AMERICAN)	
INSURANCE COMPANY (CLARENDON),)	
DEEP) JURY TRIAL DEMANDED)	JURY TRIAL DEMANDED
SOUTH SURPLUS OF TEXAS, L.P.,)	
and CRC SCU)	
f/k/a CRUMP INS. SERVICES,)	
)	
Defendants.)	
)	

STEADFAST INSURANCE COMPANY'S MOTION TO CONTINUE TRIAL

Defendant Steadfast Insurance Company (“Defendant”), by and through undersigned counsel, files this *Motion to Continue Trial* and shows this Court as follows:

After this matter was removed from the Virgin Islands Superior Court to federal court, Defendant CRC SCU (CRC) filed a Motion to Dismiss or Transfer Venue on Jurisdictional Grounds on or about August 26, 2020. [Dkt. No. 3]. Plaintiffs opposed this motion and requested the Court allow discovery limited to the jurisdictional issue to be conducted. [Dkt. No. 17]. CRC's motion was denied without prejudice and the ability to conduct jurisdictional discovery was granted on or about September 27, 2021. [Dkt. No. 23].

The parties then participated in discovery limited to the jurisdictional issues raised by CRC. After this limited discovery was conducted, CRC filed a second motion to dismiss

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or transfer venue on the same jurisdictional grounds. [Dkt. Nos. 55, 56]. Plaintiff opposed. On or about November 29, 2022, CRC filed a Motion to Stay Discovery Pending Adjudication of its Motion to Dismiss or Transfer. [Dkt. Nos. 87, 88]. The Plaintiffs opposed this motion [Dkt. No. 89] and Defendant Steadfast joined CRC's Motion. [Dkt. No. 93]. On February 28, 2023, Magistrate Judge Emile A. Henderson, III issued a Report and Recommendation that CRC's Motion to Dismiss be granted. [Dkt. No. 96]. Judge Henderson then issued an Order Granting CRC's Motion to Stay Discovery pending the District Court's final adjudication of CRC's Motion to Dismiss or Transfer. [Dkt. No. 97]. Prior to the entry of the stay, the only discovery conducted by the parties in this matter was limited to this Court's jurisdiction.

Section 2(l) of the current scheduling order (*First Amended Scheduling Order*) in place provides for a Final Pretrial Conference to be held on June 5, 2023 and section 2(m) provides that jury trial will be held on June 12, 2023. [Dkt. No. 67]. Section 2(m) also provides that the trial date "may be continued if there are pending dispositive motions, a criminal trial that will take precedence, or for other good cause." To date, the parties have not had an opportunity to fully conduct factual discovery in this matter. Such opportunity is necessary for Defendant Steadfast, as well as the other parties, to fully brief dispositive motions and adequately prepare for trial. Furthermore, Steadfast posits that it is probable this matter will be resolved by entry of summary judgment, at least against this Defendant.

It is unknown whether the Court's decision on co-Defendant CRC's Motion to Dismiss will be issued prior to the date currently set for trial such that the parties will have an adequate opportunity to conduct discovery and prepare for trial. With the stay of

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discovery entered before fact discovery was conducted, the parties require sufficient time to do so.

WHEREFORE, Defendant Steadfast respectfully requests this Court CONTINUE the Final Pretrial Conference and Jury Trial until the discovery stay is lifted and an Amended Scheduling Order can be entered in this matter to provide the parties an appropriate time to conduct discovery.

Respectfully submitted,

DATED: March 31, 2023

/s/ W. Mark Wilczynski
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st of March 2023, I electronically filed the foregoing **STEADFAST INSURANCE COMPANY'S MOTION TO CONTINUE TRIAL DATE**, with the Clerk of the Court using the CM/ECF System, which will send notification of such file (NEF) to all parties of record. In addition, I caused a copy of the filing to be served upon the following parties by U.S. Mail and electronic mail:

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/s/ W. Mark Wilczynski